



Australian Government
Refugee Review Tribunal

Country Advice Philippines

Philippines – PHL36619 – Davao City –
Davao Death Squad – Drug trafficking –
Political violence
25 May 2010

1. Deleted.

2. Deleted.

3. Please give some brief background on the Davao Death Squad (DDS).

In April 2009, Human Rights Watch published a report on the DDS titled *You Can Die Anytime* – which, to date, remains the most comprehensive report available on the Group. The majority of information in this section was drawn from this report.

The DDS, initially known as *Suluguon sa Katawhan* or ‘Servants of the People’ is a vigilante group based in Davao City. DDS members are alleged to be ‘either former communist New People’s Army insurgents who surrendered to the government or young men who were themselves death squad targets and joined the group to avoid being killed.’¹ The group formed in the mid-1990s and has been linked to Davao City Mayor, Rodrigo Duterte. As noted by HRW, statements made by the Mayor indicate his tacit approval of vigilante groups:

“If you are doing an illegal activity in my city, if you are a criminal or part of a syndicate that preys on the innocent people of the city, for as long as I am the mayor, you are a legitimate target of assassination.”²

The majority of sources indicate the DDS targets criminals, such as drug dealers, repeat offenders, gang members and street children. Some sources also link the Squad to the killings of ‘inactive and former policemen’, intelligence operatives and lawyers.³ The DDS is also known to target its own, such as in situations where a member knows too much about the squad’s operations. In addition, some DDS members reportedly operate as ‘guns for hire’, charging a fee for their service – which is not restricted to targeting criminals.⁴

Various human rights groups, such as the UN and HRW, have stated that local government officials (*barangay*) and police are complicit in DDS killings. These

¹ Human Rights Watch, 2009, *You Can Die Anytime, Death Squad Killings in Mindanao*, April, p.2
http://www.hrw.org/sites/default/files/reports/philippines0409webwcover_0.pdf - Accessed 21 May 2010 – Attachment 1

² Human Rights Watch, 2009, *You Can Die Anytime, Death Squad Killings in Mindanao*, April, p.1
http://www.hrw.org/sites/default/files/reports/philippines0409webwcover_0.pdf - Accessed 21 May 2010 – Attachment 1

³ Tolentino, J.V. 2007 ‘Even lawyers, court officials weren’t spared’, *Manila Times*,
<http://www.pinoyexchange.com/forums/showthread.php?t=269159&page=20> - Accessed 20 May 2010 – Attachment 3; de Leon, P. H. 2003 ‘Down South Killing season again’, *Business World*, 26 June - Accessed 20 May 2010 – Attachment 4

⁴ Human Rights Watch, 2009, *You Can Die Anytime, Death Squad Killings in Mindanao*, April, pp.26-28
http://www.hrw.org/sites/default/files/reports/philippines0409webwcover_0.pdf - Accessed 21 May 2010 – Attachment 1

authorities allegedly provide the DDS with lists of people to target and deliberately delay their arrival to the murder scene, enabling DDS members to make a clean escape. Targets receive warnings prior to being killed – usually in the form of a death threat from police and *barangay* officials.⁵ The following excerpt from HRW describes the DDS *modus operandi*:

Current and former Davao police officers and local officials select the targets and equip local thugs with handguns or knives. Riding a motorcycle without license plates, the death squad members approach their victim in broad daylight, often in busy markets, and with no attempt to hide their identities, kill him in cold blood. The killers then nonchalantly drive off, confident that the police, who had been warned of the murder and thus conveniently absented themselves, will take their time to return, and will then perform at best a perfunctory investigation. Witnesses are too terrified to identify the death squad members for fear of becoming their next victim.⁶

Also of note is that police are alleged to equip the DDS with weapons. HRW reports that prior to 2006, the DDS primarily used .45-calibre guns – a weapon commonly used by the police and ‘normally prohibitively expensive for gang members and common criminals.’⁷ The following excerpt from HRW provides information on the DDS’ most commonly used weapons:

Until 2006, perpetrators primarily used firearms—specifically, .45-caliber handguns, and, in some cases, .38-caliber or 9-mm handguns. The use of such firearms is a strong indicator that the murders were not perpetrated by common gang members. The .45-caliber handguns, for example, cost about 30,000 pesos (about US\$625) each. The vast majority of gang members cannot afford such expensive weapons, and mostly use knives or homemade pistols instead.

Several individuals familiar with DDS operations told Human Rights Watch that since 2006, some DDS members have started using knives instead of handguns, and have received training to this end. They say that the DDS now often favors knives because they are cheaper, attract less attention, and stab wounds make it easier for the police to claim that the victim was killed by gang members.

4. Please provide information on the following: (a) the geographic scope of DDS operations (outside Davao del Norte?); (b) whether there are rumours/allegations that politicians who themselves rely on drug money use the DDS to kill political opponents.

(a) The DDS is mostly active in Davao City (located in Davao del Sur); however, they also operate in other parts of the Davao Region. According to a source called ‘Ramon’ in the HRW Report, the DDS also operates in Digos City (Davao del Sur), General Santos City (South Cotabato), Tagum City (Davao del Norte) and other locations in Davao Oriental province. Ramon also notes that these cities now have their own death squads, and so ‘DDS members only go there in pursuit of a target who has left Davao City for one

⁵ Human Rights Watch, 2009, *You Can Die Anytime, Death Squad Killings in Mindanao*, April, p.20
http://www.hrw.org/sites/default/files/reports/philippines0409webwcover_0.pdf - Accessed 21 May 2010 – Attachment 1

⁶ Human Rights Watch, 2009, *You Can Die Anytime, Death Squad Killings in Mindanao*, April, p.28
http://www.hrw.org/sites/default/files/reports/philippines0409webwcover_0.pdf - Accessed 21 May 2010 – Attachment 1

⁷ Human Rights Watch, 2009, *You Can Die Anytime, Death Squad Killings in Mindanao*, April, p.2
http://www.hrw.org/sites/default/files/reports/philippines0409webwcover_0.pdf - Accessed 21 May 2010 – Attachment 1

of those places, especially if the target is a “big fish”⁸. Further information provided to HRW indicates that the DDS has trained other death squads in the Davao Region:

The insiders believe that most of the killings in General Santos City and Digos City are carried out by local groups using the Davao Death Squad as a model. One of the insiders in Digos City noted that the DDS used to come to Digos City to carry out killings, but then a local death squad was formed with training provided by gunmen from the DDS.

(b) There are no rumours or allegations about politicians – who themselves rely on drug money – using the DDS to kill political opponents. However, given the authorities’ links to the DDS, it is not inconceivable that politicians could use the DDS in this way. Although this specific allegation cannot be proven from the available information, what is known about the politicians–drugs trafficking–DDS–political killings nexus is this:

- It is widely held, and officially acknowledged that, in the Philippines, politicians (including local politicians) use proceeds from drugs trafficking to fund their political campaigns. This mode of practice is also known as ‘nacro–politics’.⁹
- The DDS is linked with police and elected local officials¹⁰, who provide them with lists of persons to target.
- At the behest of police and elected local officials, the DDS has reportedly killed criminals, delinquents, ex-policemen, lawyers, intelligence operatives and its own members. Whether the motives were criminal or political in nature cannot be confirmed. However, that ex-policemen, lawyers and intelligence operatives have been targeted indicates that DDS killings may not be solely criminally motivated.
- Some DDS members provide a “guns for hire” service and it is possible that politicians have commissioned them to kill political opponents.

Attachments

1. Human Rights Watch, 2009, *You Can Die Anytime, Death Squad Killings in Mindanao*, April http://www.hrw.org/sites/default/files/reports/philippines0409webwcover_0.pdf - Accessed 21 May 2010.
2. Deleted.
3. Tolentino, J.V. 2007 ‘Even lawyers, court officials weren’t spared’, *Manila Times*, <http://www.pinoyexchange.com/forums/showthread.php?t=269159&page=20> - Accessed 20 May 2010.

⁸ Human Rights Watch, 2009, *You Can Die Anytime, Death Squad Killings in Mindanao*, April, p.58 http://www.hrw.org/sites/default/files/reports/philippines0409webwcover_0.pdf - Accessed 21 May 2010 – Attachment 1

⁹ Republic of the Philippines, Office of the President, Philippine Drug Enforcement Agency, 2009, *Press Release # 007//09*, 4 February <http://www.pdea.gov.ph/Press%20Releases/FEB%202009/007%20NARCO%20POLITICS%20FEB%204%202009.pdf> - Accessed 21 May 2010 - Attachment 5

¹⁰ According to HRW, a high-ranking DDS member won an election into a *barangay* council and became the head of the Peace and Order Committee in the *barangay*. See Human Rights Watch, 2009, *You Can Die Anytime, Death Squad Killings in Mindanao*, April, p.49 http://www.hrw.org/sites/default/files/reports/philippines0409webwcover_0.pdf - Accessed 21 May 2010 – Attachment 1

4. de Leon, P. H. 2003 'Down South Killing season again', *Business World*, 26 June - Accessed 20 May 2010.
5. Republic of the Philippines, Office of the President, Philippine Drug Enforcement Agency, 2009, *Press Release # 007//09*, 4 February
<http://www.pdea.gov.ph/Press%20Releases/FEB%2009/007%20NARCO%20POLITICS%20FEB%204%2009.pdf> - Accessed 21 May 2010.